UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,612	01/17/2002	Ravikumar Pisupati	100200239-1	3020

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EXAMINER
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ART UNIT	PAPER NUMBER
2146	

NOTIFICATION DATE	DELIVERY MODE
05/23/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 April 2008</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-6,8-29,31 and 32</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-6,8-29,31 and 32</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>17 January 2002</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1. Claims 1-6, 8-29, and 31 are presented for examination; claims 1, 11, and 26 independent.

2. In view of the Appeal Brief filed on April 232, 2008, PROSECUTION IS HEREBY REOPENED. A new rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 4-6, 11, 13, 15, 16, and 21 are rejected under 35 USC 103(a) as being

unpatentable over Tripathi (US 2002/0087619) in view of Aweya et al. (USPN

7,231,445) (hereinafter Aweya) in view of Peterson et al. (<u>Computer Networks: A</u>

<u>Systems Approach</u>; Morgan Kaufmann Publishers; copyright 2000, pages 634-640)

(hereinafter Peterson).

4.   Referring to claim 1, Tripathi discloses a computer network for providing service

(e.g. abstract) comprising:

        a plurality of computing elements each of which comprise general-purpose,

programmable computing resources that can be selectively programmed for supporting

one or more of a plurality of different electronic services (i.e. request service relevant to

a server), wherein said services are controlled or operated by commands or data

transmitted by email (i.e. mail agent 350 receives email from client 310 via network and,

based on the commands in the email, will contact servers 330, 340 to effect control of a

command found within the email) (Figures 3,4, ref. 300, B430; p. 2, ¶ 30);

        a redirector (i.e. mail agent) communicatively coupled to a mail server (any entity

which receives mail inherently requires a connection to a mail server) and to each of the

computing elements (i.e. servers 330 and 340), wherein said redirector receives email

from the client via mail server, wherein each email contains a command or data specific

for a service, with or without being addressed to a specific computing element (i.e. the

email is directed to the mail agent), and wherein said redirector is configured to

selectively match an computing element with a specific service request of an incoming

email, whether or not said email is addressed to a specific computing element (i.e. email message may specify whether the service requested relates to a specific server), and forward at least a portion of the email to that computing element so as to delivery said command or data to that specific service, such that said redirector serves as an email proxy for said plurality of computing systems (i.e. mail agent receives an email which requests a particular service and may decipher the email message to ascertain the nature of the service requested by the user, and perform the service) (¶ 30-34);

wherein said electronic services are controlled by said email routed by said redirector among said plurality of computing elements (i.e. the elements are controlled based on the commands received in said email) (¶ 30-34).

Tripathi does not specifically state that the redirector matches the request to an available computing element, rather the mail agent merely returns the data when a command is received. In analogous art, Aweya discloses an admission control process which can forward a request to an available web server system (col. 10, lines 15-28). It would have been obvious to one of ordinary skill in the art to combine the teaching of Aweya with Tripathi in order to utilize the admission control process of Aweya with a plurality of mail agents of Tripathi in order to redirect client requests to other web server systems when the present mail agent resources are running low, thereby reducing the likelihood of having to queue requests or even dropping requests as supported by Aweya (col. 10, lines 15-28).

Tripathi does not explicitly state the use of a mail server for receiving and routing email. In analogous art, Peterson discloses another computer network which uses an

email server (i.e. mail gateway) to route mail from a sender to a recipient (Figure 9.6; p.

638: "in many cases the mail traverses one or more mail gateways on its route from the

sender's host to the receiver's host"). It would have been obvious to one of ordinary

skill in the art to combine the teaching of Peterson with Tripathi in order to provide an

efficient method to have mail be routed to the correct recipient.

5.   Referring to claim 4, Tripathi discloses the redirector comprises a service handler

for extracting an access function from incoming email messages (i.e. service) and the

service handler complies with the extracted access function by transmitting commands

or data to at least one of the plurality of computing elements supporting said services

(i.e. mail agent performs the service to produce a service outcome) (¶ 24).

6.   Referring to claim 5, Tripathi discloses said commands or data comprises a

service (i.e. execute actions, commands to enumerate status information, commands to

set various parameters clearly fall within the definition of a "service") (¶ 24).

7.   Referring to claim 6, Tripathi discloses the commands or data comprises a

specified location where a service can be accessed (i.e. service performer 120 may

contact server 120, obtain health information from server and generate service

outcome) (Figure 3; ¶ 26).

8.   Claims 11, 13, 15, 16, and 21 are rejected for similar reasons as stated above.

Claims 2, 3, 8, 9, 12, 17, 18 and 24 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Tripathi-Aweya-Peterson in view of Motoyama (USPN 5,819,110).

9.   Referring to claim 2, Tripathi- Aweya-Peterson discloses the invention

substantively as described in claim 1. Tripathi-Aweya-Peterson does not specifically

disclose the computing elements have a service handler configured to extract the

service function from the email message. In analogous art, Motoyama discloses

another computer network for providing services comprising each of the computing

elements has a service handler (i.e. parsing process) (Figure 7; col. 7, line 62 to col. 8,

line 10); and

said service handler on a computing element extracts an access function (i.e.

action) from an incoming email message and complies with said extracted access

function (Figure 6; col. 7, line 62 to col. 8, line 10).

It would have been obvious to one of ordinary skill in the art to combine the

teaching of Motoyama with Tripathi-Peterson in order to allow the remote user of

Tripathi (i.e. client 110) the ability to know the machine's capabilities, thereby ensuring

that the user is fully aware what commands the devices can and cannot, or will not,

execute, thereby increasing customer interaction.

10.   Referring to claim 3, Tripathi-Peterson discloses the invention substantively as

described in claim 1. Tripathi-Peterson does not specifically disclose the redirector

routes email messages, rather interprets them. In analogous art, Motoyama discloses

another computer network for providing services comprising a mail router (i.e. mail

server) for routing email messages (col. 7, lines 27-44). It would have been obvious to

one of ordinary skill in the art to combine the teaching of Motoyama with Tripathi-

Peterson in order to allow the remote user of Tripathi (i.e. client 110) the ability to know

the machine's capabilities, thereby ensuring that the user is fully aware what commands

the devices can and cannot, or will not, execute, thereby increasing customer

interaction.

11.   Referring to claim 8, Tripathi-Peterson discloses the invention substantively as

described in claim 1. Tripathi-Peterson does not specifically disclose using a firewall.

In analogous art, Motoyama discloses another computer network for providing services

comprising a firewall 14 (Figure 1) through which email messages are received, said

redirector being protected within said firewall (Figure 1; col. 7, lines 7-45). Motoyama

does not disclose that the redirector and email server are protected via a common

firewall, however it is well known that firewalls can protect computing entities from a

wide area network. BY this rationale, "Official Notice" is taken that both the concept and

advantages of providing for a firewall to protect the email processing center is well

known and expected in the art. It would have been obvious to one of ordinary skill in

the art to modify the teaching of Motoyama and Tripathi-Peterson in order to allow the

email processing center 100 the ability to ward off attacks and viruses from hackers. It

would have been obvious to one of ordinary skill in the art to combine the teaching of

Motoyama with Tripathi-Peterson in order to allow the remote user of Tripathi (i.e. client

110) the ability to know the machine's capabilities, thereby ensuring that the user is fully

aware what commands the devices can and cannot, or will not, execute, thereby

increasing customer interaction.

12.   Referring to claim 9, Tripathi-Peterson discloses the invention substantively as

described in claim 1. Tripathi-Peterson further discloses various web clients on the

network (Tripathi: Figure 1, ref. 110). As shown above, a LAN can be protected from

the WAN via a firewall. Therefore one of ordinary skill in the art would find it obvious

that the web client is within the firewall communication with the redirector to obtain

access to said services since it would ward off attacks and viruses form hackers.

13.   Claims 12, 17, 18, and 24 are rejected for similar reasons as stated above.

Furthermore Motoyama discloses sending a response email message following

compliance with said extracted access function (col. 8, lines 1-10).

        Claims 10, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Tripathi-Aweya-Peterson in view of Motoyama in view of Weber et al. (USPN

6,480,901) (hereinafter Weber).

14.   Referring to claim 10, Tripathi-Peterson-Motoyama discloses the invention

substantively as described in claim 9. Tripathi-Peterson-Motoyama does not specifically

disclose generating web pages related to the services of the web client. In analogous

art, Weber disclose the proxy server generating web pages related to the services for

the client (Figure 7; col. 14, lines 23-41). It would be obvious to a person of ordinary

skill in the art at the time the invention was made to combine the teaching of Weber with

Tripathi-Peterson-Motoyama in order to allow the email clients of Motoyama to address

the proxy server system of Weber in order to be able to incorporate a plurality of

different devices utilizing different protocols to the network without requiring the user

know beforehand what the specific form for the protocol and device in question, thereby

providing a common platform for management as well as only one point wherein

updates are required, thereby reducing complexity of the overall system.

15.   Claims 19-20, are rejected for similar reasons as stated above.

        Claims 14, 22, 23, 26-29, 31, and 32 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Tripathi-Aweya-Peterson in view of Hartman et al. (US

2002/0156876) (hereinafter Hartman).

16.   Referring to claims 14 and 22, Tripathi-Peterson discloses the invention

substantively as described in claim 1. Tripathi-Peterson do not explicitly disclose

launching a service on one of the computing elements. In analogous art, Hartman

discloses a server (i.e. applications management server 12) which receives a request

from a user in order to launch a service (e.g. abstract; ¶19-21). It would have been

obvious to one of ordinary skill in the art to combine the teaching of Hartman with

Tripathi-Peterson in order to provide the applications management server 12 of

Hartman as the servers 330, 340 of Tripathi, since Tripathi discloses that the

preformatted messages include commands to execute actions (Tripathi: ¶ 24), this

would motivate one of ordinary skill in the art to find other commands which could be

used to further configure the particular server, thereby incorporating Hartman and its

method of installation of services.

17.   Referring to claim 23, Tripathi discloses determining on which computer element

to launch the service (i.e. based on the received emails, it will determine which

computer needs the particular commands executed) (Tripathi: "service requested

relates to a specific server" ¶ 30).

18.   Claims 26-29, and 31 are rejected for similar reasons as stated above.

19.   Referring to claim 32, Hartman disclsoes the specified location comprises a URL

address (¶17).

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tripathi-

Aweya-Peterson-Motoyama in view of Hartman.

20.   Referring to claim 25, Tripathi-Peterson-Motoyama discloses the invention

substantively as described in claim 24. Tripathi-Peterson-Motoyama do not explicitly

disclose that the service handler downloads a service from an address taken from an

incoming email message. In analogous art, Hartmant discloses another computer

network system which downloads a service from a particular address to install the

service on the computer (¶19-21). It would have been obvious to one of ordinary skill in

the art to combine the teaching of Hartman with Tripathi-Peterson-Motoyama in order to

provide the applications management server 12 of Hartman as the servers 330, 340 of

Tripathi, since Tripathi discloses that the preformatted messages include commands to

execute actions (Tripathi: ¶ 24), this would motivate one of ordinary skill in the art to find

other commands which could be used to further configure the particular server, thereby

incorporating Hartman and its method of installation of services.

Response to Arguments

21.   Applicant's arguments dated April 23, 2008 have been fully considered but are

not persuasive. Applicant merely reiterates the same arguments which were addressed

in the Final Rejection dated January 15, 2008. Applicant is respectfully referred to that

action in response to those similar arguments presented.

Conclusion

22.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

23.   Applicant has failed to seasonably challenge the Examiner's assertions of well known subject matter in the previous Office action(s) pursuant to the requirements set forth under MPEP §2144.03. A "seasonable challenge" is an explicit demand for evidence set forth by Applicant in the next response. Accordingly, the claim limitations the Examiner considered as "well known" in the first Office action are now established as admitted prior art of record for the course of the prosecution. See In re Chevenard, 139 F.2d 71, 60 USPQ 239 (CCPA 1943).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey C. Pwu can be reached on (571)272-6798. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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